

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

PARENTS DEFENDING
EDUCATION,

Plaintiff,

v.

OLENTANGY LOCAL SCHOOL
DISTRICT BOARD OF EDUCATION,
et al.,

Defendants.

Case No. 2:23-cv-01595

DECLARATION OF PARENT B

1. I live within the boundaries of the Olentangy Local School District (the “District”) and am the parent of a school-aged child.

2. I am over the age of eighteen and under no mental disability or impairment. I have personal knowledge of the following facts and, if called as a witness, would competently testify to them.

3. I am a member of Parents Defending Education.

4. I have two children that are enrolled in a District high school. My older child is a senior, but my younger child will continue to attend the same District high school next year.

5. Both of my high-school-aged children are also members of Parents Defending Education.

6. I believe that people are either male or female. Although I acknowledge that gender dysphoria exists, it is historically a rare condition. I believe that there is a difference between gender dysphoria and a child's confusion about their gender, which can lead a child to adopt a different name, pronouns, clothing, and so on. I also believe that confusion about gender can be a part of adolescence and that it does not always persist beyond adolescence. I believe that these issues of gender are sensitive issues that should be left to families to discuss and resolve, not to schools. These views stem from my sincerely held religious beliefs.

7. I have raised my children to believe that biological sex is immutable and that gender does not exist on a spectrum, as many people now claim. I have also taught my children to share their beliefs and to tell the truth, but to do so charitably and respectfully.

8. My children believe that people are either male or female and that biological sex is unchangeable. They have no ill-will toward children or adults who identify as transgender or nonbinary, but they do not want to be forced to "affirm" that a biologically male classmate is actually a female—or vice versa—or that a classmate is "nonbinary" and neither male nor female. Doing so would contradict the deeply held beliefs of our family, including my beliefs that I have imparted to them and their own sincerely held religious beliefs.

9. Both of my children know and routinely interact with students that identify as transgender or nonbinary at school.

10. When issues involving gender identity arise in class or in school-sponsored activities, my children want to speak about these topics and want to repeatedly state their belief that biological sex is immutable.

11. In addition, they wish to use pronouns consistent with a classmate's biological sex and to explain to their classmates why they believe that all human beings are created male or female by God. They wish to use the pronouns that are consistent with their classmates' biological sex repeatedly and at all times, including inside and outside of the classroom, in the classmates' presence, and when referring to the classmates outside of their presence. My children understand that their speech will be considered "insulting," "humiliating," "dehumanizing," "derogatory," and "unwanted" to those who want to go by different pronouns. But my children have no ill will against these students. My children just want to express their deeply held views.

12. My children also want to communicate with others about gender identity and other controversial topics through their personal phones, computers, and on social media, including sending materials about these topics. They want to discuss these topics with other students and the Olentangy community, and they want to do so on and off campus, including during off-campus activities with no connection to any school-related activity.

13. My children censor themselves, however, because they fear that expressing their belief that sex is immutable—by using biologically-accurate pronouns or otherwise explaining their views—will cause them to be punished for violating school policies.

14. For example, my children refrain from using pronouns that correlate with classmates' biological sex or discussing gender-identity topics on and off campus, because they are aware of the District's policies. As a result, my children try their best to avoid any discussions regarding sex and gender, both in and out of the classroom. When they are called

on in class, they feel like they must tell their teachers what they want to hear and phrase their responses as narrowly as possible.

15. My children's fears of speaking openly are informed by years of personal experience with the District and its officials.

16. One of my children has been asked by a teacher via an "introductory survey" "[w]hat pronouns should [the teacher] use for you in this space?" The available options were "He/Him," "She/Her," "They/Them," and "Other – I'll send [the teacher] a private message!" I was neither told that my child would be taking the survey nor given the opportunity to opt my child out.

17. Another one of my children was given a writing assignment about "How does gender influence how you see the world?" and other topics, which included "What are gender roles?"; "What is toxic masculinity?"; and "How does [toxic masculinity] affect men AND women?" In a schoolroom my child had class in, a teacher was celebrating "International Pronoun Day" and had written the appropriate pronouns that students should use on the classroom whiteboard.

18. I have repeatedly expressed concern that District policies force students to affirm a student's gender identity when it does not match the student's biological sex and that my children's sincerely held religious beliefs require otherwise. Nevertheless, the District has repeatedly failed to assure me that my children can express their beliefs without punishment. And I am aware that, according to the District, "[a] student purposefully referring to another student by using gendered language they know is contrary to the other student's identity would be an example of discrimination under Board Policy."

19. One of my children attended a District high school when the school allowed a “Day of Silence” for the LGBTQ+ community. According to my child, several teachers actively coordinated the event. These teachers also participated in the event. I am aware that, when pro-life students asked the District if it would permit a day of silence for unborn babies killed by abortions, the District emphatically rejected the request because it believed that this traditional conservative view was “too controversial” and that the event would “violate the separation of church and state.”

20. I want my children to be educated in an environment that involves the free exchange of ideas and to be free to express their beliefs, even if others disagree with them or find them offensive. I do not want my children to be forced to affirm beliefs about gender identity that are inconsistent with their deeply held convictions.

21. Under the District’s school policies, however, my children can be punished merely for expressing an opinion about the nature of biological sex, declining to use another student’s “preferred pronouns,” disagreeing with another student’s assertion about whether they are male or female, stating that a biological male who identifies as female should not be allowed to compete in women’s sports, or for expressing discomfort about sharing bathrooms with teachers or students of the opposite biological sex. All of these are views that my children wish to express on and off campus.

22. I am concerned that my children will be subjected to formal discipline unless they affirm ideas that are inconsistent with their deeply held beliefs. Such discipline for speech consistent with their own deeply held convictions is detrimental to their current school

experience, and I fear it will also harm their college admission chances and their extracurricular opportunities.

23. I also worry that being disciplined for stating their fundamental beliefs will inflict mental and psychological harm on my children by forcing them to “choose” between expressing their beliefs and following the instructions of teachers and other Olentangy authority figures. This is no way to live in a free society.

24. Moreover, I know that the process of repeatedly being subjected to discipline for stating their beliefs will expose my children to reputational harm and personal attacks from other students and members of the Olentangy community.

25. My children have repeatedly told me that they want to go to school in an environment that allows them to express their views. I have watched my children steadily lose self-esteem and self-confidence while they have attended Olentangy schools because of the District’s speech policies.

26. My constant anxiety that my children will be subjected to this harm has, in turn, caused me emotional and psychological harm. For example, it has caused me to question whether to instruct my children to follow their conscience and their religious faith or to remain silent and affirm viewpoints contrary to their conscience and faith in order to preserve their opportunities for college, among other things. It has also caused me to question whether I am subjecting my children to these harms from the District’s policies by not withdrawing them from Olentangy, even though our family cannot afford the financial strain that would impose.

27. I am signing this declaration under a pseudonym because I live in Olentangy and, if my participation in this litigation becomes public, I fear reprisal from school officials,

my children's teachers and fellow students, and members of the broader community. I also want to protect the identity and privacy of my children concerning these deeply sensitive issues.

Pursuant to 28 U.S.C. §1746, I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed this 28 day of April, 2023

Parent B
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